

1 Deverie J. Christensen (NV Bar #6596)
2 Deverie.Christensen@jacksonlewis.com

2 Phillip C. Thompson (NV Bar #12114)
3 Phillip.Thompson@jacksonlewis.com

3 **JACKSON LEWIS P.C.**

4 300 S. Fourth Street, Suite 900
5 Las Vegas, Nevada 89101
6 Telephone: (702) 921-2460
7 Facsimile: (702) 921-2461

8 RENÉ E. THORNE (*pro hac vice Pending*)
9 Rene.Thorne@jacksonlewis.com

10 HOWARD SHAPIRO (*pro hac vice Pending*)
11 Howard.Shapiro@jacksonlewis.com

12 **JACKSON LEWIS P.C.**

13 601 Poydras Street, Suite 1400
14 New Orleans, Louisiana 70130
15 Telephone: (504) 208-1755
16 Facsimile: (504) 208-1759

17 *Attorneys for Defendants*

18 **UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

19 ROBERT CEVASCO, on behalf of Allegiant
20 401(k) Retirement Plan, individually and on
21 behalf of all others similarly situated,

22 Plaintiffs,

23 v.

24 ALLEGIANT TRAVEL COMPANY

25 Defendant.

26 **CASE NO.: 2:22-cv-01741-JAD-EJY**

27 **STIPULATION TO EXTEND
DEADLINE FOR DEFENDANT TO
RESPOND TO PLAINTIFF'S
COMPLAINT AND PROPOSED
BRIEFING SCHEDULE**

28 **(FIRST REQUEST)**

ECF No. 6

IT IS HEREBY STIPULATED by and between Defendant, Allegiant Travel Company, and Plaintiff Robert Cevasco, by and through their respective counsel, to extend the deadline for Defendant to respond to Plaintiff's Complaint (ECF No. 1) and set a briefing schedule for Defendant's anticipated motion to dismiss, Plaintiff's opposition, and Defendant's reply. This Stipulation is submitted and based upon the following:

On October 17, 2022, Plaintiffs filed a Class Action Complaint (ECF No. 1) and served Defendant on October 26, 2022, making Defendant's responsive pleading in this class action case due on November 16, 2022.

Given the complexity of the case, the parties agreed jointly to request an extension of Defendant's pleading deadline by 60 days, through and including January 13, 2023.

Moreover, after consultations among the Parties, Defendant will file a Motion to Dismiss. Thus, the Parties have stipulated to and request the Court approve the following briefing schedule:

PROPOSED SCHEDULE

1. January 13, 2023 – Deadline for Defendant to file responsive pleadings.
 2. January 13, 2023 – Deadline for Defendant to file its Motion to Dismiss.
 3. January 27, 2023 – Deadline for Plaintiffs to file a Response (Opposition) to Motion to Dismiss.
 4. February 17, 2023 – Deadline for Defendant to file a Reply in Support of Motion to Dismiss.

This is the first request for an extension of time for Defendant to file a response to Plaintiffs' Complaint and to set a briefing schedule on Defendant's anticipated motion to dismiss.

This request is made in good faith and not for the purpose of delay.

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1 Nothing in this Stipulation, nor the fact of entering to the same, shall have the effect of or be
2 construed as waiving any claim or defense held by any party hereto.

3 Dated: November 14, 2022

4 /s/ *Deverie J. Christensen*

5 Deverie J. Christensen (NV Bar #6596)
6 Deverie.Christensen@jacksonlewis.com
7 Phillip C. Thompson (NV Bar #12114)
8 Phillip.Thompson@jacksonlewis.com
JACKSON LEWIS P.C.
9 300 S. Fourth Street, Suite 900
10 Las Vegas, Nevada 89101

11 René E. Thorne (*Pro Hac Vice Pending*)
12 René.Thorne@jacksonlewis.com
Howard Shapiro (*Pro Hac Vice Pending*)
13 Howard.Shapiro@jacksonlewis.com

14 **JACKSON LEWIS P.C.**
15 601 Poydras Street, Suite 1400
16 New Orleans, Louisiana 70130

17 **COUNSEL FOR DEFENDANT**

18 /s/ *Michael Kind*

19 Michael Kind, Esq. (NV Bar #13903)
20 MK@KindLaw.com
KIND LAW
21 8860 S. Maryland Parkway, Suite 106
22 Las Vegas, Nevada 89123

23 Brandon J. Hill (*pro hac vice Pending*)
24 BHill@WFCLaw.com
WENZEL FENTON CABASSA, P.A.
25 1110 N. Florida Avenue, Suite 300
Tampa, Florida 33602

26 Eric Lechtzin (*pro hac vice Pending*)
27 ELechtzin@edelson-law.com
EDELSON LECHTZIN LLP
28 3 Terry Drive, Suite. 205
Newton, PA 18940

29 Michael C McKay (*pro hac vice Pending*)
30 McKay@McLay.Law
MCKAY LAW, LLC
31 5635 North Scottsdale Road, Suite 170
32 Scottsdale, AZ 85250

33 **COUNSEL FOR PLAINTIFFS**

34 **ORDER**

35 IT IS SO ORDERED:

36 
37 United States District Court Judge

38 Dated: 11-14-22